

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 26415 of 2007(T)

PETITIONER:

**RAVI, S/O. KARUMBAN, AGED 70 YEARS
KOLLETHUPARAMBIL VEEDU, A.V. GEORGE ROAD,
KANDANADU.**

**BY ADV. SRI.P.V.ANILKUMAR
SRI.E.D.GEORGE
SRI.JOSHY THOMAS**

RESPONDENT:

**ASSISTANT ENGINEER,
ROADS SECTION,
THRIPUNITHURA, ERNAKULAM.**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

ANTONY DOMINIC, J.
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W.P.(C) NO. 26415 OF 2007
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Dated this the 14th day of September, 2007

J U D G M E N T

The prayer of the petitioner is to quash Exhibits P6 and P8 notices. Admittedly, petitioner is an occupant of puramboke land. It is on that basis that action has been initiated. The only contention to continue occupation in the puramboke is that there are others against whom action has not been taken. It is also the averment of the petitioner that Exhibits P6 and P8 are at the instigation of one Smt.Thanki Cherian, who alone will be benefitted by the eviction.

2. The fact that there are other encroachment in the puramboke does not mean that all encroachments in the puramboke should be left undisturbed. Equality is a positive concept and cannot be pressed into service to perpetuate illegalities. As far as the allegations against Smt.Thanky

Cherian is concerned, apart from the fact that she is not made a respondent in this writ petition, I also notice that she had filed WP(C) 32207/06 in this court and that case was disposed of directing that action should be taken in accordance with law. If the authorities have taken consequential action in implementation of the judgment and Exhibits P6 and P8 are in pursuant there of, these orders cannot be faulted in any manner.

Writ petition lacks merit and it is dismissed.

ANTONY DOMINIC, JUDGE.

Rp